UNITED STATES OF AMERICA	)	
	)	**DEFENSE MOTION TO DISMISS FOR LACK OF JURISDICTION: THE ARMED CONFLICT IN AFGHANISTAN HAS ENDED**
v.	)	
DAVID M. HICKS	)	
	)	**1 October 2004**

The defense in the case of the *United States v. David M. Hicks* requests that the military commission dismiss all charges, and states in support of this request:

1. **Synopsis**: The military commission lacks jurisdiction over Mr. Hicks because the armed conflict in Afghanistan has ended.

2. **Facts**: On 22 December 2001, Hamid Karzai was sworn in as the head of a 30-member governing council in Afghanistan, ending the international armed conflict in Afghanistan.

3. **Discussion**:

The law of war only applies in situations of armed conflict. International armed conflict is defined by Common Article 2 of the Geneva Conventions[1] as a declared war or any other armed conflict which may arise between **two or more** of the High Contracting Parties (i.e. two or more States), even if the state of war is not recognized by one of them.[2]

A non-international armed conflict is defined by Article 1 of *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts* (Additional Protocol II)[3] as all armed conflicts which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations.

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[1] *Geneva Convention for the Amelioration of the Condition of the Wounded and the Sick in Armed Forces in the Field*, opened for signature 12 August 1949, 75 UNTS 31 (entered into force 21 October 1950); *Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked in Members of Armed Forces at Sea*, opened for signature 12 August 1949, 75 UNTS 85 (entered into force 21 October 1950); *Geneva Convention Relative to the Treatment of Prisoners of War*, opened for signature 12 August 1949, 75 UNTS 135 (entered into force 21 October 1950); *Geneva Convention Relative to the Protection of Civilian Persons in Times of War*, opened for signature 12 August 1949, 75 UNTS 287 (entered into force 21 October 1950) (collectively, Geneva Conventions). Available at <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/genevaconventions>.

[2] Common Article 2 states: "[i]n addition to the provisions which shall be implemented in peacetime, the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them."

[3] Opened for signature 8 June 1977, 1125 UNTS 3 (entered into force 7 December 1978). Available at <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/genevaconventions>.

Situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature are not included within this definition.[4]

The authority to exercise military jurisdiction to try law of war violations lasts ". . . so long as a state of war exists-from its declaration until peace is proclaimed."[5] While the Supreme Court has allowed military commission jurisdiction to continue after the end of hostilities, it has done so only in limited circumstances, such as when U.S. forces formally occupy foreign territory, or when the U.S. is part of a power-sharing governmental arrangement.[6] Absent either of these circumstances, military commission jurisdiction exists only during the ". . . time of war."[7]

The conflict in Afghanistan between the governing authority in Afghanistan, the Taliban regime, and the United States that occurred in 2001 was an international armed conflict. With the Taliban's final surrender in Kandahar on 17 November 2001, and the establishment of a new government, the international armed conflict ceased. Under the Bonn agreement, the Afghanistan Interim Authority (AIA) was formed and assumed office on 22 December 2001,[8] as the recognized Government of Afghanistan. The United States never occupied Afghanistan. The AIA was renamed the Transitional Islamic State of Afghanistan (TISA). The TISA constitution was ratified on 4 January 2002.[9]

After 22 December 2001, the conflict in Afghanistan ceased to be an international armed conflict because there was no longer an armed conflict "between two or more" States; in fact, the AIA has never engaged in an armed conflict with the United States. Since January 2002, contingents of foreign peacekeepers and U.S. troops have continued to assist in maintaining order in Afghanistan. Any violence that continued was not in the nature of an international armed conflict because those engaging in violence against peacekeepers and U.S. troops did not represent a State. Further, the periodic fighting in the TISA did not amount to a non-international armed conflict, because those engaging in violence were no longer under responsible command

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[4] Article 1 states: "1. This Protocol, which develops and supplements Article 3 common to the Geneva Conventions of 12 August 1949 without modifying its existing conditions of application, shall apply to all armed conflicts which are not covered by Article 1 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) and which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol. 2. This Protocol shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature, as not being armed conflicts."

[5] *In re Yamashita*, 327 U.S. 1, 11 (1946).

[6] *Madsen v. Kinsella* 343 U.S. 341, 348 (1952). The President has the urgent and infinite responsibility not only of combating the enemy but of governing any territory occupied by the United States by force of arms."

[7] Id. at 348.

[8] See U.S. State Department, "Background Note: Afghanistan," available at <http://www.state.gov/r/pa/ei/bgn/5380.htm>.

[9] See "Karzai takes power in Kabul," BBC News (22 December 2001), available at <http://news.bbc.co.uk/1/hi/world/south_asia/1724641.stm>. See also "Whitbeck: Afghanistan's historic day," CNN (22 December 2001), available at <http://www.cnn.com/2001/WORLD/asiapcf/central/12/22/ret.whitbeck.otsc/>.

(since the Taliban organization collapsed in December 2001), nor were they in control of part of Afghanistan's territory.[10] The periodic fighting in TISA constituted neither sustained nor concerted military operations. Any periodic clashes in the TISA after December 2001 have been internal disturbances, or sporadic acts of violence.

Because the international armed conflict in Afghanistan has ended, so has the authority, under the law of war, to convene military commissions. Therefore, this commission lacks jurisdiction to try Mr. Hicks for any offense.

4. **Evidence**:

A: The testimony of expert witnesses.

B: Attachments

1. *Geneva Convention for the Amelioration of the Condition of the Wounded and the Sick in Armed Forces in the Field*, Article 2.
2. *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts*, Article 1.
3. U.S. State Department, "Background Note: Afghanistan."
4. "Karzai takes power in Kabul," BBC News (22 December 2001).
5. "Whitbeck: Afghanistan's historic day," CNN (22 December 2001).

5. **Relief Requested**: The defense requests that all charges be dismissed.

6. The defense requests oral argument on this motion.

By: _____

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[10] See U.S. State Department, "Background Note: Afghanistan," available at <http://www.state.gov/r/pa/ei/bgn/5380.htm>.

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Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Geneva, 12 August 1949.

Preamble

The undersigned Plenipotentiaries of the Governments represented at the Diplomatic Conference held at Geneva from April 21 to August 12, 1949, for the purpose of revising the Geneva Convention for the Relief of the Wounded and Sick in Armies in the Field of July 27, 1929, have agreed as follows:

Chapter I. General Provisions

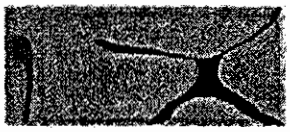
Art 1. The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances.

Art. 2. In addition to the provisions which shall be implemented in peacetime, the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them.

The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance.

Although one of the Powers in conflict may not be a party to the present Convention, the Powers who are parties thereto shall remain bound by it in their mutual relations. They shall furthermore be bound by the Convention in relation to the said Power, if the latter accepts and applies the provisions thereof.

Attachment 1 to RE ____



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Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977.

Preamble

The High Contracting Parties, Recalling that the humanitarian principles enshrined in Article 3 common to the Geneva Conventions of 12 August 1949, constitute the foundation of respect for the human person in cases of armed conflict not of an international character,

Recalling furthermore that international instruments relating to human rights offer a basic protection to the human person,

Emphasizing the need to ensure a better protection for the victims of those armed conflicts,

Recalling that, in cases not covered by the law in force, the human person remains under the protection of the principles of humanity and the dictates or the public conscience,

Have agreed on the following:

Part I. Scope of this Protocol

Art 1. Material field of application

1. This Protocol, which develops and supplements Article 3 common to the Geneva Conventions of 12 August 1949 without modifying its existing conditions or application, shall apply to all armed conflicts which are not covered by Article 1 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) and which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol.

2. This Protocol shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature, as not being armed conflicts.

Attachment 2 to RE ____

Bureau of South Asian Affairs
August 2004

People
History
Government
Political Conditions
Economy
Foreign Relations
U.S. Relations
Travel/Business
Background Notes A-Z

Background Note: Afghanistan

PROFILE

OFFICIAL NAME:
Transitional Islamic State of Afghanistan

Geography
Area: 647,500 sq. km. (249,935 sq. mi.); slightly smaller than Texas.
Cities: *Capital* (1999/2000 UN est.) Kabul–1,780,000. *Other cities* (1988 UN est.; current figures are probably significantly higher)–Kandahar (226,000); Herat (177,000); Mazar-e-Sharif (131,000); Jalalabad (58,000); Konduz (57,000).
Terrain: Landlocked; mostly mountains and desert.
Climate: Dry, with cold winters and hot summers.

People
Nationality: *Noun and adjective*--Afghan(s).
Population: 28,717,213 (July 2003 est.). More than 4 million Afghans live outside the country, mainly in Pakistan and Iran, although over two and a half million have returned since the removal of the Taliban.
Annual population growth rate (2003 est.): 3.38%. This rate does not take into consideration the recent war and its continuing impact.
Main ethnic groups: Pashtun, Tajik, Hazara, Uzbek, Turkmen, Aimaq, Baluch, Nuristani, Kizilbash.
Religions: Sunni Muslim 84%, Shi'a Muslim 15%, other 1%.
Main languages: Dari (Afghan Persian), Pashto.
Education: Approximately 4 million children, of whom some 30% are girls, enrolled in school during 2003. *Literacy* (2001 est.)–36% (male 51%, female 21%), but real figures may be lower given breakdown of education system and flight of educated Afghans.
Health: *Infant mortality rate* (2003)—142.48/1,000. *Life expectancy* (2003 est.)–47.67 yrs. (male); 46.23 yrs. (female).
Work force: Mostly in rural agriculture; number cannot be estimated due to conflict.

Government
Type: Afghanistan identifies itself as an "Islamic Republic."
Independence: August 19, 1919 (from U.K. control over Afghan foreign affairs).
Constitution: Adopted on January 4, 2004, paving the way for nationwide presidential and parliamentary elections. The presidential elections are scheduled for October 9, 2004; parliamentary elections are planned for early 2005.

Attachment 3 to RE ——

Economy
GDP: $4 billion (2002-03 est.).
Per capita GDP: $180-$190 (based on 22 million population estimate).
Purchasing parity power: $19 billion (2002 est.)
GDP growth: 28.6% (2002-03 est.)
Natural resources: Natural gas, oil, coal, copper, chromite, talc, barites, sulfur, lead, zinc, iron, salt, precious and semiprecious stones.
Agriculture (estimated 52% of GDP): *Products*--wheat, corn, barley, rice, cotton, fruit, nuts, karakul pelts, wool, and mutton.
Industry (estimated 26% of GDP): *Types*--small-scale production for domestic use of textiles, soap, furniture, shoes, fertilizer, and cement; hand-woven carpets for export; natural gas, precious and semiprecious gemstones.
Services (estimated 22% of GDP): transport, retail, and telecommunications.
Trade (2002-03 est.): *Exports*--$100 million (does not include opium): fruits and nuts, handwoven carpets, wool, cotton, hides and pelts, precious and semiprecious gems. *Major markets*--Central Asian republics, Pakistan, Iran, EU, India. Estimates show that the figure for 2001 was much lower, except for opium. *Imports*--$2.3 billion: food, petroleum products, machinery, and consumer goods. Estimates show that imports were severely reduced in 2001. *Major suppliers*--Central Asian republics, Pakistan, Iran.
Currency: The currency is the afghani, which was reintroduced as Afghanistan's new currency in January 2003. The exchange rate of the new currency has remained broadly stable since the completion of the conversion process from the country's old afghani currency. At present, $1 U.S. equals approximately 43 afghanis. Since its inception the new afghani has gained gradual acceptance throughout the country, but other foreign currencies are also still frequently accepted as legal tender.

PEOPLE
Afghanistan's ethnically and linguistically mixed population reflects its location astride historic trade and invasion routes leading from Central Asia into South and Southwest Asia. Pashtuns are the dominant ethnic group, accounting for about 38-44% of the population. Tajik (25%), Hazara (10-19%), Uzbek (6-8%), Aimaq, Turkmen, Baluch, and other small groups also are represented. Dari (Afghan Persian) and Pashto are official languages. Dari is spoken by more than one-third of the population as a first language and serves as a lingua franca for most Afghans, though the Taliban use Pashto. Tajik, Uzbek, and Turkmen are spoken widely in the north. Smaller groups throughout the country also speak more than 70 other languages and numerous dialects.

Afghanistan is an Islamic country. An estimated 84% of the population is Sunni, following the Hanafi school of jurisprudence; the remainder is predominantly Shi'a, mainly Hazara. Despite attempts during the years of communist rule to secularize Afghan society, Islamic practices pervade all aspects of life. In fact, Islam served as the principal basis for expressing opposition to the communists and the Soviet invasion. Likewise, Islamic religious tradition and codes, together with traditional practices, provide the principal means of controlling personal conduct and settling legal disputes. Excluding urban populations in the principal cities, most Afghans are divided into tribal and other kinship-based groups, which follow traditional customs and religious practices.

HISTORY
Afghanistan, often called the crossroads of Central Asia, has had a turbulent history. In 328 BC, Alexander the Great entered the territory of present-day Afghanistan, then part of the Persian Empire, to capture Bactria (present-day Balkh). Invasions by the Scythians, White Huns, and Turks followed in succeeding centuries. In AD 642, Arabs invaded the entire region and introduced Islam.

Arab rule gave way to the Persians, who controlled the area until conquered by the Turkic Ghaznavids in 998. Mahmud of Ghazni (998-1030) consolidated the conquests of his predecessors and turned Ghazni into a great cultural center as well as a base for frequent forays into India. Following Mahmud's short-lived dynasty, various princes attempted to rule sections of the country until the Mongol invasion of 1219. The Mongol invasion, led by Genghis Khan, resulted in massive slaughter of the population, destruction of many cities, including Herat, Ghazni,

and Balkh, and the despoliation of fertile agricultural areas.

Following Genghis Khan's death in 1227, a succession of petty chiefs and princes struggled for supremacy until late in the 14th century, when one of his descendants, Tamerlane, incorporated Afghanistan into his own vast Asian empire. Babur, a descendant of Tamerlane and the founder of India's Moghul dynasty at the beginning of the 16th century, made Kabul the capital of an Afghan principality.

In 1747, Ahmad Shah Durrani, the founder of what is known today as Afghanistan, established his rule. A Pashtun, Durrani was elected king by a tribal council after the assassination of the Persian ruler Nadir Shah at Khabushan in the same year. Throughout his reign, Durrani consolidated chieftainships, petty principalities, and fragmented provinces into one country. His rule extended from Mashad in the west to Kashmir and Delhi in the east, and from the Amu Darya (Oxus) River in the north to the Arabian Sea in the south. With the exception of a 9-month period in 1929, all of Afghanistan's rulers until the 1978 Marxist coup were from Durrani's Pashtun tribal confederation, and all were members of that tribe's Mohammadzai clan after 1818.

European Influence

During the 19th century, collision between the expanding British Empire in the subcontinent and czarist Russia significantly influenced Afghanistan in what was termed "The Great Game." British concern over Russian advances in Central Asia and growing influence in Persia culminated in two Anglo-Afghan wars. The first (1839-42) resulted not only in the destruction of a British army, but is remembered today as an example of the ferocity of Afghan resistance to foreign rule. The second Anglo-Afghan war (1878-80) was sparked by Amir Sher Ali's refusal to accept a British mission in Kabul. This conflict brought Amir Abdur Rahman to the Afghan throne. During his reign (1880-1901), the British and Russians officially established the boundaries of what would become modern Afghanistan. The British retained effective control over Kabul's foreign affairs.

Afghanistan remained neutral during World War I, despite German encouragement of anti-British feelings and Afghan rebellion along the borders of British India. The Afghan king's policy of neutrality was not universally popular within the country, however.

Habibullah, Abdur Rahman's son and successor, was assassinated in 1919, possibly by family members opposed to British influence. His third son, Amanullah, regained control of Afghanistan's foreign policy after launching the third Anglo-Afghan war with an attack on India in the same year. During the ensuing conflict, the war-weary British relinquished their control over Afghan foreign affairs by signing the Treaty of Rawalpindi in August 1919. In commemoration of this event, Afghans celebrate August 19 as their Independence Day.

Reform and Reaction

King Amanullah (1919-29) moved to end his country's traditional isolation in the years following the third Anglo-Afghan war. He established diplomatic relations with most major countries and, following a 1927 tour of Europe and Turkey--during which he noted the modernization and secularization advanced by Ataturk--introduced several reforms intended to modernize Afghanistan. Some of these, such as the abolition of the traditional Muslim veil for women and the opening of a number of co-educational schools, quickly alienated many tribal and religious leaders. Faced with overwhelming armed opposition, Amanullah was forced to abdicate in January 1929 after Kabul fell to forces led by Bacha-i-Saqao, a Tajik brigand. Prince Nadir Khan, a cousin of Amanullah's, in turn defeated Bacha-i-Saqao in October of the same year and, with considerable Pashtun tribal support, was declared King Nadir Shah. Four years later, however, he was assassinated in a revenge killing by a Kabul student.

Mohammad Zahir Shah, Nadir Khan's 19-year-old son, succeeded to the throne and reigned from 1933 to 1973. In 1964, King Zahir Shah promulgated a liberal

constitution providing for a two-chamber legislature to which the king appointed one-third of the deputies. The people elected another third, and the remainder were selected indirectly by provincial assemblies. Although Zahir's "experiment in democracy" produced few lasting reforms, it permitted the growth of unofficial extremist parties on both the left and the right. These included the communist People's Democratic Party of Afghanistan (PDPA), which had close ideological ties to the Soviet Union. In 1967, the PDPA split into two major rival factions: the Khalq (Masses) faction headed by Nur Muhammad Taraki and Hafizullah Amin and supported by elements within the military, and the Parcham (Banner) faction led by Babrak Karmal. The split reflected ethnic, class, and ideological divisions within Afghan society.

Zahir's cousin, Sardar Mohammad Daoud, served as his Prime Minister from 1953 to 1963. During his tenure as Prime Minister, Daoud solicited military and economic assistance from both Washington and Moscow and introduced controversial social policies of a reformist nature. Daoud's alleged support for the creation of a Pashtun state in the Pakistan-Afghan border area heightened tensions with Pakistan and eventually resulted in Daoud's dismissal in March 1963.

Daoud's Republic (1973-78) and the April 1978 Coup

Amid charges of corruption and malfeasance against the royal family and poor economic conditions created by the severe 1971-72 drought, former Prime Minister Daoud seized power in a military coup on July 17, 1973. Zahir Shah fled the country, eventually finding refuge in Italy. Daoud abolished the monarchy, abrogated the 1964 constitution, and declared Afghanistan a republic with himself as its first President and Prime Minister. His attempts to carry out badly needed economic and social reforms met with little success, and the new constitution promulgated in February 1977 failed to quell chronic political instability.

Seeking to exploit more effectively mounting popular disaffection, the PDPA reunified with Moscow's support. On April 27, 1978, the PDPA initiated a bloody coup, which resulted in the overthrow and murder of Daoud and most of his family. Nur Muhammad Taraki, Secretary General of the PDPA, became President of the Revolutionary Council and Prime Minister of the newly established Democratic Republic of Afghanistan.

Opposition to the Marxist government emerged almost immediately. During its first 18 months of rule, the PDPA brutally imposed a Marxist-style "reform" program, which ran counter to deeply rooted Afghan traditions. Decrees forcing changes in marriage customs and pushing through an ill-conceived land reform were particularly misunderstood by virtually all Afghans. In addition, thousands of members of the traditional elite, the religious establishment, and the intelligentsia were imprisoned, tortured, or murdered. Conflicts within the PDPA also surfaced early and resulted in exiles, purges, imprisonments, and executions.

By the summer of 1978, a revolt began in the Nuristan region of eastern Afghanistan and quickly spread into a countrywide insurgency. In September 1979, Hafizullah Amin, who had earlier been Prime Minister and Minister of Defense, seized power from Taraki after a palace shootout. Over the next 2 months, instability plagued Amin's regime as he moved against perceived enemies in the PDPA. By December, party morale was crumbling, and the insurgency was growing.

The Soviet Invasion

The Soviet Union moved quickly to take advantage of the April 1978 coup. In December 1978, Moscow signed a new bilateral treaty of friendship and cooperation with Afghanistan, and the Soviet military assistance program increased significantly. The regime's survival increasingly was dependent upon Soviet military equipment and advisers as the insurgency spread and the Afghan army began to collapse.

By October 1979, however, relations between Afghanistan and the Soviet Union were tense as Hafizullah Amin refused to take Soviet advice on how to stabilize

and consolidate his government. Faced with a deteriorating security situation, on December 24, 1979, large numbers of Soviet airborne forces, joining thousands of Soviet troops already on the ground, began to land in Kabul under the pretext of a field exercise. On December 26, these invasion forces killed Hafizullah Amin and installed Babrak Karmal, exiled leader of the Parcham faction, bringing him back from Czechoslovakia and making him Prime Minister. Massive Soviet ground forces invaded from the north on December 27.

Following the invasion, the Karmal regime, although backed by an expeditionary force that grew as large as 120,000 Soviet troops, was unable to establish authority outside Kabul. As much as 80% of the countryside, including parts of Herat and Kandahar, eluded effective government control. An overwhelming majority of Afghans opposed the communist regime, either actively or passively. Afghan freedom fighters (mujahidin) made it almost impossible for the regime to maintain a system of local government outside major urban centers. Poorly armed at first, in 1984 the mujahidin began receiving substantial assistance in the form of weapons and training from the U.S. and other outside powers.

In May 1985, the seven principal Peshawar-based guerrilla organizations formed an alliance to coordinate their political and military operations against the Soviet occupation. Late in 1985, the mujahidin were active in and around Kabul, launching rocket attacks and conducting operations against the communist government. The failure of the Soviet Union to win over a significant number of Afghan collaborators or to rebuild a viable Afghan army forced it to bear an increasing responsibility for fighting the resistance and for civilian administration.

Soviet and popular displeasure with the Karmal regime led to its demise in May 1986. Karmal was replaced by Muhammad Najibullah, former chief of the Afghan secret police (KHAD). Najibullah had established a reputation for brutal efficiency during his tenure as KHAD chief. As Prime Minister, Najibullah was ineffective and highly dependent on Soviet support. Undercut by deep-seated divisions within the PDPA, regime efforts to broaden its base of support proved futile.

The Geneva Accords and Their Aftermath

By the mid-1980s, the tenacious Afghan resistance movement–aided by the United States, Saudi Arabia, Pakistan, and others--was exacting a high price from the Soviets, both militarily within Afghanistan and by souring the U.S.S.R.'s relations with much of the Western and Islamic world. Informal negotiations for a Soviet withdrawal from Afghanistan had been underway since 1982. In 1988, the Governments of Pakistan and Afghanistan, with the United States and Soviet Union serving as guarantors, signed an agreement settling the major differences between them. The agreement, known as the Geneva accords, included five major documents, which, among other things, called for U.S. and Soviet noninterference in the internal affairs of Pakistan and Afghanistan, the right of refugees to return to Afghanistan without fear of persecution or harassment, and, most importantly, a timetable that ensured full Soviet withdrawal from Afghanistan by February 15, 1989. About 14,500 Soviet and an estimated one million Afghan lives were lost between 1979 and the Soviet withdrawal in 1989.

Significantly, the mujahidin were party neither to the negotiations nor to the 1988 agreement and, consequently, refused to accept the terms of the accords. As a result, the civil war continued after the Soviet withdrawal, which was completed in February 1989. Najibullah's regime, though failing to win popular support, territory, or international recognition, was able to remain in power until 1992 but collapsed after the defection of Gen. Abdul Rashid Dostam and his Uzbek militia in March. However, when the victorious mujahidin entered Kabul to assume control over the city and the central government, a new round of internecine fighting began between the various militias, which had coexisted only uneasily during the Soviet occupation. With the demise of their common enemy, the militias' ethnic, clan, religious, and personality differences surfaced, and the civil war continued.

Seeking to resolve these differences, the leaders of the Peshawar-based mujahidin groups established an interim Islamic Jihad Council in mid-April 1992 to assume power in Kabul. Moderate leader Prof. Sibghatullah Mojaddedi was to chair the council for 2 months, after which a 10-member leadership council

composed of mujahidin leaders and presided over by the head of the Jamiat-i-Islami, Prof. Burhanuddin Rabbani, was to be set up for 4 months. During this 6-month period, a Loya Jirga, or grand council of Afghan elders and notables, would convene and designate an interim administration which would hold power up to a year, pending elections.

But in May 1992, Rabbani prematurely formed the leadership council, undermining Mojaddedi's fragile authority. In June, Mojaddedi surrendered power to the Leadership Council, which then elected Rabbani as President. Nonetheless, heavy fighting broke out in August 1992 in Kabul between forces loyal to President Rabbani and rival factions, particularly those who supported Gulbuddin Hekmatyar's Hezb-i-Islami. After Rabbani extended his tenure in December 1992, fighting in the capital flared up in January and February 1993. The Islamabad Accord, signed in March 1993, which appointed Hekmatyar as Prime Minister, failed to have a lasting effect. A follow-up agreement, the Jalalabad Accord, called for the militias to be disarmed but was never fully implemented. Through 1993, Hekmatyar's Hezb-i-Islami forces, allied with the Shi'a Hezb-i-Wahdat militia, clashed intermittently with Rabbani and Masood's Jamiat forces. Cooperating with Jamiat were militants of Sayyaf's Ittehad-i-Islami and, periodically, troops loyal to ethnic Uzbek strongman Abdul Rashid Dostam. On January 1, 1994, Dostam switched sides, precipitating large-scale fighting in Kabul and in northern provinces, which caused thousands of civilian casualties in Kabul and elsewhere and created a new wave of displaced persons and refugees. The country sank even further into anarchy, forces loyal to Rabbani and Masood, both ethnic Tajiks, controlled Kabul and much of the northeast, while local warlords exerted power over the rest of the country.

Rise of the Taliban

In reaction to the anarchy and warlordism prevalent in the country, and the lack of Pashtun representation in the Kabul government, a movement of former mujahidin arose. Many Taliban had been educated in madrassas in Pakistan and were largely from rural Pashtun backgrounds. The name "Talib" itself means pupil. This group dedicated itself to removing the warlords, providing order, and imposing Islam on the country. It received considerable support from Pakistan. In 1994, it developed enough strength to capture the city of Kandahar from a local warlord and proceeded to expand its control throughout Afghanistan, occupying Kabul in September 1996. By the end of 1998, the Taliban occupied about 90% of the country, limiting the opposition largely to a small mostly Tajik corner in the northeast and the Panjshir valley. Efforts by the UN, prominent Afghans living outside the country, and other interested countries to bring about a peaceful solution to the continuing conflict came to naught, largely because of intransigence on the part of the Taliban.

The Taliban sought to impose an extreme interpretation of Islam--based in part upon rural Pashtun tradition--on the entire country and committed massive human rights violations, particularly directed against women and girls, in the process. Women were restricted from working outside the home and pursuing an education, were not to leave their homes without an accompanying male relative, and were forced to wear a traditional body-covering garment called the burka. The Taliban committed serious atrocities against minority populations, particularly the Shi'a Hazara ethnic group, and killed noncombatants in several well-documented instances. In 2001, as part of a drive against relics of Afghanistan's pre-Islamic past, the Taliban destroyed two large statues of the Buddha outside of the city of Bamiyan and announced destruction of all pre-Islamic statues in Afghanistan, including the remaining holdings of the Kabul Museum.

From the mid-1990s the Taliban provided sanctuary to Osama bin Laden, a Saudi national who had fought with them against the Soviets, and provided a base for his and other terrorist organizations. The UN Security Council repeatedly sanctioned the Taliban for these activities. Bin Laden provided both financial and political support to the Taliban. Bin Laden and his al Qaeda group were charged with the bombing of the U.S. Embassies in Nairobi and Dar Es Salaam in 1998, and in August 1998 the United States launched a cruise missile attack against bin Laden's terrorist camp in Afghanistan. Bin Laden and al Qaeda are believed to be responsible for the September 11, 2001 terrorist acts in the United States, among

other crimes.

In September 2001, agents working on behalf of the Taliban and believed to be associated with bin Laden's al Qaeda group assassinated Northern Alliance Defense Minister and chief military commander Ahmed Shah Masood, a hero of the Afghan resistance against the Soviets and the Taliban's principal military opponent. Following the Taliban's repeated refusal to expel bin Laden and his group and end its support for international terrorism, the U.S. and its partners in the anti-terrorist coalition began a campaign on October 7, 2001, targeting terrorist facilities and various Taliban military and political assets within Afghanistan.

Under pressure from U.S. air power and anti-Taliban ground forces, the Taliban disintegrated rapidly, and Kabul fell on November 13, 2001. Sponsored by the UN, Afghan factions opposed to the Taliban met in Bonn, Germany in early December and agreed to restore stability and governance to Afghanistan by creating an interim government and establishing a process to move toward a permanent government. Under this so-called Bonn Agreement, an Afghan Interim Authority was formed and took office in Kabul on December 22, 2001 with Hamid Karzai as Chairman. The Interim Authority held power for approximately 6 months while preparing for a nationwide "Loya Jirga" (Grand Council) in mid-June 2002 that decided on the structure of a Transitional Authority. The Transitional Authority, headed by President Hamid Karzai, renamed the government as the Transitional Islamic State of Afghanistan (TISA). One of the TISA's primary achievements was the drafting of a constitution that was ratified by a Constitutional Loya Jirga on January 4, 2004.

GOVERNMENT AND POLITICAL CONDITIONS

Afghanistan identifies itself as an "Islamic Republic." The new national constitution adopted on January 4, 2004 paves the way for nationwide presidential and parliamentary elections. The presidential elections are scheduled for October 9, 2004; parliamentary elections are planned for early 2005.

The government's authority beyond the capital, Kabul, is slowly growing, although its ability to deliver necessary social services remains largely dependent on funds from the international donor community. So far, the United States has committed over $4 billion to the reconstruction of Afghanistan. At an international donors' conference in Berlin in April 2004, donors pledged $4.5 billion for Afghanistan over the next year, and a total of $8.2 billion over the next three years.

With anti-terrorist coalition support, the government's capacity to secure Afghanistan's borders to maintain internal order is increasing. The government continues to work closely with coalition forces in rooting out remnants of al Qaeda and the Taliban. The core of an Afghan National Army (ANA) is being trained, as are police. Some ministerial reforms are underway, most prominently at the Ministry of Defense, which has been reorganized to better reflect Afghanistan's ethnic diversity.

Principal Government Officials

President--Hamid Karzai
Minister of Foreign Affairs--Dr. Abdullah Abdullah

Afghanistan maintains an embassy in the United States at 2341 Wyoming Avenue, NW, Washington, DC 20008 (tel: 202-483-6410; email: info@embassyofafghanistan.org).

ECONOMY

In the 1930s, Afghanistan embarked on a modest economic development program. The government founded banks; introduced paper money; established a university; expanded primary, secondary, and technical schools; and sent students abroad for education. In 1956, the Afghan Government promulgated the first in a long series of ambitious development plans. By the late 1970s, these had achieved only mixed results due to flaws in the planning process as well as inadequate funding and a shortage of the skilled managers and technicians

needed for implementation.

Historically, there has been a dearth of information and reliable statistics about Afghanistan's economy. The 1979 Soviet invasion and ensuing civil war destroyed much of the underdeveloped country's limited infrastructure and disrupted normal patterns of economic activity. Gross domestic product had fallen substantially over the preceding 23 years because of loss of labor and capital and disruption of trade and transport. Continuing internal strife hampered both domestic efforts at reconstruction as well as international aid efforts. However, Afghanistan's economy has been growing at a fast pace since the 2001 fall of the Taliban, albeit from a low base. In 2003, growth was estimated at close to 30%, and the growth rate is expected to be over 20% in 2004.

Agriculture

The Afghan economy continues to be overwhelmingly agricultural, despite the fact that only 12% of its total land area is arable and less than 6% currently is cultivated. Agricultural production is constrained by an almost total dependence on erratic winter snows and spring rains for water; irrigation is primitive. Relatively little use is made of machines, chemical fertilizer, or pesticides.

Grain production is Afghanistan's traditional agricultural mainstay. Overall agricultural production dramatically declined following 4 years of severe drought as well as sustained fighting, instability in rural areas, and deteriorated infrastructure. Soviet efforts to disrupt production in resistance-dominated areas also contributed to this decline, as did the disruption to transportation resulting from ongoing conflict. The easing of the drought, which had affected more than half of the population into late 2002, and the end of civil war produced the largest wheat harvest in 25 years during 2003. Wheat production was an estimated 58% higher than in 2002. However, the country still needed to import an estimated million tons of wheat to meet its requirements for the year. Millions of Afghans, particularly in rural areas, remained dependent on food aid.

The war against the Soviet Union and the ensuing civil war led to migration to the cities and refugee flight to Pakistan and Iran, further disrupting normal agricultural production. Shortages were exacerbated by the country's already limited transportation network, which had deteriorated further due to damage and neglect resulting from war and the absence of an effective central government. Agricultural production and livestock numbers are still not sufficient to feed a large percentage of Afghanistan's population.

Opium has became a source of cash for many Afghans, especially following the breakdown in central authority after the Soviet withdrawal, and opium-derived revenues probably constituted a major source of income for the two main factions during the civil war in the 1990s. The Taliban earned roughly $40 million per year on opium taxes alone. Opium is easy to cultivate and transport and offers a quick source of income for impoverished Afghans. Afghanistan was the world's largest producer of raw opium in 1999 and 2000. Much of Afghanistan's opium production is refined into heroin and is either consumed by a growing regional addict population or exported, primarily to Western Europe. Despite efforts to bring opium cultivation under control, the most recent 2003 crop is reportedly the largest recorded. The international community and the new Afghan Government are currently working on new initiatives to eliminate the narcotics economy.

Trade and Industry

Trade accounts for a small portion of the documented Afghan economy, and there are no reliable statistics relating to trade flows. In 2002-03, exports--not including opium or re-exports--were estimated at $100 million and imports estimated at $2.3 billion, a significant increase over 2001-02. Since the 1989 Soviet withdrawal and the 1991 collapse of the Soviet Union, other limited trade relationships with Central Asian states appear to be emerging. Exports to Iran and Pakistan account for about one-half of total exports. Belgium, Russia, Germany, the United Arab Emirates, and the United States each account for 5% or more of Afghanistan's exports. Japan, Korea, and Pakistan account for about 40% of imports. Other significant sources of imports are Germany, India, Iran, Kenya, Turkmenistan, and

the United States. While the United States revoked Afghanistan's most-favored-nation (MFN) trading status in 1986, it reestablished normal trade relations in June 2002. Most of Afghanistan's exports (excluding illegal or smuggled exports) are agricultural products and carpets.

Afghanistan is endowed with a wealth of natural resources, including extensive deposits of natural gas, petroleum, coal, copper, chromite, talc, barites, sulfur, lead, zinc, iron ore, salt, and precious and semiprecious stones. In the 1970s the Soviets estimated Afghanistan had as much as five trillion cubic feet (tcf) of natural gas, 95 million barrels of oil and condensate reserves, and 400 million tons of coal. Unfortunately, ongoing instability in certain areas of the country, remote and rugged terrain, and inadequate infrastructure and transportation network have made mining these resources difficult, and there have been few serious attempts to further explore or exploit them.

The most important resource has been natural gas, first tapped in 1967. At their peak during the 1980s, natural gas sales accounted for $300 million a year in export revenues (56% of the total). Ninety percent of these exports went to the Soviet Union to pay for imports and debts. However, during the withdrawal of Soviet troops in 1989, Afghanistan's natural gas fields were capped to prevent sabotage by the mujahidin. Restoration of gas production has been hampered by internal strife and the disruption of traditional trading relationships following the collapse of the Soviet Union. Gas production dropped from a high of 290 million cubic feet (Mmcf) per day in the 1980s to a low of about 22 Mmcf in 2001.

Trade in goods smuggled into Pakistan once constituted a major source of revenue for Afghan regimes, including the Taliban, and still figures as an important element in the Afghan economy. Many of the goods smuggled into Pakistan originally entered Afghanistan from Pakistan, where they fell under the Afghan Trade and Transit Agreement (ATTA), which permitted goods bound for Afghanistan to transit Pakistan free of duty. When Pakistan clamped down in 2000 on the types of goods permitted duty-free transit, routing of goods through Iran from the Gulf increased significantly. Shipments of smuggled goods were subjected to fees and duties paid to the Afghan Government. The trade also provided jobs to tens of thousands of Afghans on both sides of the Durand Line, which forms the border between Afghanistan and Pakistan. Pakistan's closing its Afghan border in September 2001 presumably curtailed this traffic.

Transportation

Landlocked Afghanistan has no functioning railways, but the Amu Darya (Oxus) River, which forms part of Afghanistan's border with Turkmenistan, Uzbekistan, and Tajikistan, has barge traffic. During their occupation of the country, the Soviets completed a bridge across the Amu Darya and built a motor vehicle and railroad bridge between Termez and Jeyretan. The U.S., in conjunction with the governments of Afghanistan and Tajikistan, is currently exploring the feasibility of resuscitating a bridge link over the Amu Darya.

Most road building occurred in the 1960s, funded by the U.S. and the Soviet Union. The Soviets built a road and tunnel through the Salang Pass in 1964, connecting northern and southern Afghanistan. A highway connecting the principal cities of Herat, Kandahar, Ghazni, and Kabul with links to highways in neighboring Pakistan formed the primary road system.

Afghanistan's national airline, Ariana, operates domestic and international routes, including flights to New Delhi, Islamabad, Dubai, Moscow, Istanbul, Tehran, and Frankfurt. A private carrier, Kam Air, commenced domestic operations in November 2003.

Many sections of Afghanistan's highway and regional road system are undergoing significant reconstruction. The U.S. (with assistance from Japan) completed building a highway linking Kabul to the southern regional capital, Kandahar. Construction is soon to begin on the next phase of highway reconstruction between Kandahar and the western city of Herat. The Asian Development Bank is nearing completion on a road reconstruction project between Kandahar and Spin

Boldak, located at the southeastern border with Pakistan.

Humanitarian Relief
The UN and the international donor community continue to provide considerable humanitarian relief. Since its inception in 1988, the umbrella UN Office for the Coordination of Humanitarian Assistance to Afghanistan (UNOCHA) has channeled more than $1 billion in multilateral assistance to Afghan refugees and vulnerable persons inside Afghanistan. The U.S., the European Union (EU), and Japan are the leading contributors to this relief effort. One of its key tasks is to eliminate from priority areas--such as villages, arable fields, and roads--some of the 5 million to 7 million land mines and 750,000 pieces of unexploded ordnance (UXO), sown mainly during the Soviet occupation, which continue to litter the Afghan landscape. Afghanistan is the most heavily mined country in the world; mine-related injuries number up to 150 per month, and an estimated 200,000 Afghans have been disabled by landmine/UXO accidents. Mine-clearing efforts are ongoing, with great progress made from the construction of the Kabul-Kandahar road. With funding from international donors, including the U.S., the UN and non-governmental organizations (NGOs) have instituted a number of educational programs and mine awareness campaigns in various parts of the country.

FOREIGN RELATIONS
Before the Soviet invasion, Afghanistan pursued a policy of neutrality and nonalignment in its foreign relations. In international forums, Afghanistan generally followed the voting patterns of Asian and African nonaligned countries. Following the Marxist coup of April 1978, the Taraki government developed significantly closer ties with the Soviet Union and its communist satellites.

After the December 1979 invasion, Afghanistan's foreign policy mirrored that of the Soviet Union. Afghan foreign policymakers attempted, with little success, to increase their regime's low standing in the noncommunist world. With the signing of the 1988 Geneva Accords, Najibullah unsuccessfully sought to end Afghanistan's isolation within the Islamic world and in the Non-Aligned Movement.

Most Western countries, including the United States, maintained small diplomatic missions in Kabul during the Soviet occupation. (Throughout the Soviet occupation, the U.S. did not recognize the Afghan regimes, and its mission was headed by a Charge d'Affaires rather than an Ambassador.) Many countries subsequently closed their missions due to instability and heavy fighting in Kabul.

Pakistan, Saudi Arabia, and the United Arab Emirates recognized the Taliban regime in 1997. Saudi Arabia and the United Arab Emirates withdrew recognition following the September 11, 2001 attacks. Repeated Taliban efforts to occupy Afghanistan's seat at the UN and Organization of the Islamic Conference (OIC) were unsuccessful.

The fall of the Taliban in October 2001 opened a new chapter in Afghanistan's foreign relations. Afghanistan is now an active member of the international community, and has extended diplomatic relations with countries from around the world. In December 2002, the six nations that border Afghanistan signed a 'Good Neighbor' Declaration, in which they pledged to respect Afghanistan's independence and territorial integrity.

Pakistan
The 1978 Marxist coup strained relations between Pakistan and Afghanistan. Pakistan took the lead diplomatically in the United Nations, the Non-Aligned Movement, and the Organization of the Islamic Conference in opposing the Soviet occupation. During the war against the Soviet occupation, Pakistan served as the primary logistical conduit for the Afghan resistance.

Pakistan initially developed close ties to the Taliban regime, and extended recognition in 1997. This policy was not without controversy in Pakistan, where many objected to the Taliban's human rights record and radical interpretation of Islam. Following the Taliban's resistance to Islamabad's pressure to comply with

Attachment 3

relevant UN Security Council Resolutions and surrender Osama bin Laden after the September 11, 2001 attacks in New York City and Washington, DC, Pakistan dramatically altered its policy by closing its border and downgrading its ties.

Despite occasional tensions between the two countries, particularly along their shared border region, Afghanistan and Pakistan are engaged in ongoing dialogue to resolve their outstanding differences. Senior representatives from the two countries meet periodically through the Tripartite Commission, a U.S.-facilitated forum that offers both sides an opportunity to articulate views on specific issues and work toward common solutions. Both sides have much to gain from an improved relationship; much of Afghanistan has long relied on Pakistani links for trade and travel to the outside world, while Pakistan views Afghanistan as eventually becoming its primary route for trade with Central Asia.

Iran

Afghanistan's relations with Iran have fluctuated over the years, with periodic disputes over the water rights of the Helmand River as the main issue of contention. Following the Soviet invasion, which Iran opposed, relations deteriorated. The Iranian consulate in Herat closed, as did the Afghan consulate in Mashad. The Iranians complained of periodic border violations following the Soviet invasion. In 1985, they urged feuding Afghan Shi'a resistance groups to unite to oppose the Soviets. Iran supported the cause of the Afghan resistance and provided limited financial and military assistance to rebel leaders who pledged loyalty to the Iranian vision of Islamic revolution. Iran still provides refuge to about 1.4 million Afghans.

Following the emergence of the Taliban and their harsh treatment of Afghanistan's Shi'a minority, Iran stepped up assistance to the Northern Alliance. Relations with the Taliban deteriorated further in 1998 after Taliban forces seized the Iranian consulate in Mazar-e-Sharif and executed Iranian diplomats.

Since the fall of the Taliban, Afghanistan's relations with Iran have improved. Iran has been active in Afghan reconstruction efforts, particularly in the western portion of the country, and is constructing a road between their eastern border and Herat, a major trade route linking the two countries.

Russia

In the 19th century, Afghanistan served as a strategic buffer state between czarist Russia and the British Empire in the subcontinent. Afghanistan's relations with Moscow became more cordial after the Bolshevik Revolution in 1917. The Soviet Union was the first country to establish diplomatic relations with Afghanistan after the third Anglo-Afghan war and signed an Afghan-Soviet nonaggression pact in 1921, which also provided for Afghan transit rights through the Soviet Union. Early Soviet assistance included financial aid, aircraft and attendant technical personnel, and telegraph operators.

The Soviets began a major economic assistance program in Afghanistan in the 1950s. Between 1954 and 1978, Afghanistan received more than $1 billion in Soviet aid, including substantial military assistance. In 1973, the two countries announced a $200-million assistance agreement on gas and oil development, trade, transport, irrigation, and factory construction. Following the 1979 invasion, the Soviets augmented their large aid commitments to shore up the Afghan economy and rebuild the Afghan military. They provided the Karmal regime an unprecedented $800 million. The Soviet Union supported the Najibullah regime even after the withdrawal of Soviet troops in February 1989.

During the reign of the Taliban, Russia became increasingly disenchanted over Taliban support for Chechen rebels and for providing a sanctuary for terrorist groups active in Central Asia and in Russia itself. Russia provided military assistance to the Northern Alliance.

Though Afghanistan's current government has improved relations with Russia, the sensitive history between the two countries has left deep scars and residual feelings of mistrust. Afghanistan's outstanding foreign debt to Russia continues to

be a source of contention.

Tajikistan
Afghanistan's relations with Tajikistan have been complicated by political upheaval and civil war in Tajikistan, which spurred some 100,000 Tajiks to seek refuge in Afghanistan in late 1992 and early 1993. Tajik rebels seeking to overthrow the Tajik Government headed by Imamali Rahmanov began operating from Afghan bases and recruiting Tajik refugees into their ranks. These rebels, reportedly aided by Afghans and a number of foreign Islamic extremists, conducted cross-border raids against Russian and Tajik security posts and sought to infiltrate fighters and materiel from Afghanistan into Tajikistan. Also disenchanted by the Taliban's harsh treatment of Afghanistan's Tajik minority, Tajikistan facilitated assistance to the Northern Alliance.

In the post-Taliban era, Afghanistan seeks closer ties with its northern neighbor in order to capitalize on the potential economic benefits of increased trade. A planned bridge span linking the two countries over the Amu Darya River is a tangible sign of this new collaboration.

UN Efforts
During the Soviet occupation, the United Nations was highly critical of the U.S.S.R.'s interference in the internal affairs of Afghanistan and was instrumental in obtaining a negotiated Soviet withdrawal under the terms of the 1988 Geneva Accords.

In the aftermath of the Accords and subsequent Soviet withdrawal, the United Nations assisted in the repatriation of refugees and provided humanitarian aid such as health care, educational programs, and food and has supported mine-clearing operations. From 1990-2001, the UN worked to promote a peaceful settlement between the Afghan factions as well as provide humanitarian aid. Since October 2001, the UN has played a key role in Afghanistan through the UN Assistance Mission to Afghanistan (UNAMA), including spearheading efforts to organize Afghan elections slated for October 2004 (presidential) and early 2005 (parliamentary).

U.S.-AFGHAN RELATIONS
The first extensive American contact with Afghanistan was made by Josiah Harlan, an adventurer from Pennsylvania who was an adviser in Afghan politics in the 1830s and reputedly inspired Rudyard Kipling's story "The Man Who Would be King." After the establishment of diplomatic relations in 1934, the U.S. policy of helping developing nations raise their standard of living was an important factor in maintaining and improving U.S.-Afghan ties. From 1950 to 1979, U.S. foreign assistance provided Afghanistan with more than $500 million in loans, grants, and surplus agricultural commodities to develop transportation facilities, increase agricultural production, expand the educational system, stimulate industry, and improve government administration.

In the 1950s, the U.S. declined Afghanistan's request for defense cooperation but extended an economic assistance program focused on the development of Afghanistan's physical infrastructure--roads, dams, and power plants. Later, U.S. aid shifted from infrastructure projects to technical assistance programs to help develop the skills needed to build a modern economy. The Peace Corps was active in Afghanistan between 1962 and 1979.

After the April 1978 coup, relations deteriorated. In February 1979, U.S. Ambassador Adolph "Spike" Dubs was murdered in Kabul after Afghan security forces burst in on his kidnapers. The U.S. then reduced bilateral assistance and terminated a small military training program. All remaining assistance agreements were ended after the December 1979 Soviet invasion.

Following the Soviet invasion, the United States supported diplomatic efforts to achieve a Soviet withdrawal. In addition, generous U.S. contributions to the refugee program in Pakistan played a major part in efforts to assist Afghans in need. U.S. efforts also included helping Afghans living inside Afghanistan. This

cross-border humanitarian assistance program aimed at increasing Afghan self-sufficiency and helping Afghans resist Soviet attempts to drive civilians out of the rebel-dominated countryside. During the period of Soviet occupation of Afghanistan, the U.S. provided about $3 billion in military and economic assistance to Afghans and the resistance movement.

The U.S. Embassy in Kabul was closed in January 1989 for security reasons, but officially reopened as an Embassy on January 17, 2002. Throughout Afghanistan's difficult and turbulent 23 years of conflict, the U.S. supported the peaceful emergence of a broad-based government representative of all Afghans and actively encouraged a UN role in the national reconciliation process in Afghanistan.

Today, the U.S. is assisting the Afghan people as they rebuild their country and establish a representative government that contributes to regional stability, is market friendly, and respects human rights. The U.S. and Afghanistan are also working together to ensure that Afghanistan never again becomes a haven for terrorists. The U.S. provides financial aid for mine-clearing, reconstruction, and humanitarian assistance through international organizations.

Principal U.S. Official
Ambassador--Zalmay Khalilzad

The U.S. Embassy in Afghanistan is at the Great Masoud Road, Kabul (tel: +93-2-290002/5; fax: +93-2-290153).

TRAVEL AND BUSINESS INFORMATION

The U.S. Department of State's Consular Information Program provides Consular Information Sheets, Travel Warnings, and Public Announcements. **Consular Information Sheets** exist for all countries and include information on entry requirements, currency regulations, health conditions, areas of instability, crime and security, political disturbances, and the addresses of the U.S. posts in the country. **Travel Warnings** are issued when the State Department recommends that Americans avoid travel to a certain country. **Public Announcements** are issued as a means to disseminate information quickly about terrorist threats and other relatively short-term conditions overseas which pose significant risks to the security of American travelers. Free copies of this information are available by calling the Bureau of Consular Affairs at 202-647-5225 or via the fax-on-demand system: 202-647-3000. Consular Information Sheets and Travel Warnings also are available on the Consular Affairs Internet home page: http://travel.state.gov. Consular Affairs Tips for Travelers publication series, which contain information on obtaining passports and planning a safe trip abroad are on the internet and hard copies can be purchased from the Superintendent of Documents, U.S. Government Printing Office, telephone: 202-512-1800; fax 202-512-2250.

Emergency information concerning Americans traveling abroad may be obtained from the Office of Overseas Citizens Services at (202) 647-5225. For after-hours emergencies, Sundays and holidays, call 202-647-4000.

The National Passport Information Center (NPIC) is the U.S. Department of State's single, centralized public contact center for U.S. passport information. Telephone: 1-877-4USA-PPT (1-877-487-2778). Customer service representatives and operators for TDD/TTY are available Monday-Friday, 8:00 a.m. to 8:00 p.m., Eastern Time, excluding federal holidays.

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Travelers can check the latest health information with the U.S. Centers for Disease Control and Prevention in Atlanta, Georgia. A hotline at 877-FYI-TRIP (877-394-8747) and a web site at http://www.cdc.gov/travel/index.htm give the most recent health advisories, immunization recommendations or requirements, and advice on food and drinking water safety for regions and countries. A booklet entitled Health Information for International Travel (HHS publication number CDC-95-8280) is available from the U.S. Government Printing Office, Washington, DC 20402, tel. (202) 512-1800.

Information on travel conditions, visa requirements, currency and customs regulations, legal holidays, and other items of interest to travelers also may be obtained before your departure from a country's embassy and/or consulates in the U.S. (for this country, see "Principal Government Officials" listing in this publication).

U.S. citizens who are long-term visitors or traveling in dangerous areas are encouraged to register at the Consular section of the U.S. embassy upon arrival in a country by filling out a short form and sending in a copy of their passports. This may help family members contact you in case of an emergency.

Further Electronic Information

Department of State Web Site. Available on the Internet at http://www.state.gov, the Department of State web site provides timely, global access to official U.S. foreign policy information, including Background Notes and daily press briefings along with the directory of key officers of Foreign Service posts and more.

Export.gov provides a portal to all export-related assistance and market information offered by the federal government and provides trade leads, free export counseling, help with the export process, and more.

STAT-USA/Internet, a service of the U.S. Department of Commerce, provides authoritative economic, business, and international trade information from the Federal government. The site includes current and historical trade-related releases, international market research, trade opportunities, and country analysis and provides access to the National Trade Data Bank.

Saturday, 22 December, 2001, 10:20 GMT

Karzai takes power in Kabul

Power is transferred with a handshake

Hamid Karzai has been sworn in as Afghanistan's new leader at an emotionally-charged ceremony in Kabul.

In the first peaceful transfer of power in Afghanistan for decades, Mr Karzai embraced former president Burhanuddin Rabbani and called on Afghans to "forget the painful past".

In a speech punctuated by applause and shouts of support, Mr Karzai called for international help in re-building his war-ravaged country and promised to work hard for unity and peace.

The new government is to run Afghanistan for the next six months - the first stage in a process which should culminate in elections within two and a half years.

Mr Karzai, 44, said his administration would respect all Islamic rules, the freedom of speech and the rights of women. He also stressed the need to rebuild Afghanistan's education system, severely damaged under the country's former Taleban rulers.

This agreement, although far from perfect, has been warmly welcomed by the people of Afghanistan and by all the countries of the world

UN envoy Lakhdar Brahimi

"We should put our hands together to forget the painful past. As brothers and sisters, we should go forward to a new Afghanistan together.

"Our country has had destruction in all aspects of life. We need a new beginning and hard work from all Afghans," he said.

'Momentous day'

Mr Karzai identified the government's most important duty to be ensuring security and peace, and stressed that Afghanistan was again a full member of the international community, now that the Taleban had been ousted.

He then swore in the 29 members of his new cabinet, on what the UN's chief representative called "a momentous day".

Lakhdar Brahimi, who brokered the new government's make-up at talks in Bonn, said Afghanistan had suffered too long.

Click here for a who's who of the Afghan power brokers.

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"Each and every Afghan has been touched by this tragedy and has grown tired of war. People have now put their faith in this interim administration, and this faith must be rewarded," he said.

He said the ceremony, attended by representatives from every province in the country, marked the end of a "long dark night of conflict and strife".

"This agreement, although far from perfect, has been warmly welcomed by the people of Afghanistan and by all the countries of the world," he said.


Hamid Karzai is promising to work for peace

Mr Karzai, wearing a traditional lambskin hat, spoke in his native Pashtun. But he took care to read a poem in Dari, the country's other main language.

Jobs in the new government have been deliberately divided among Afghanistan's ethnic groups. But some Pashtun leaders are angry because a majority of posts have gone to the Tajik-dominated Northern Alliance.

Image of Masood

In a sign of Northern Alliance influence, a huge portrait of its assassinated leader Ahmed Shah Masood hung behind the assembled leaders, and each mention of his name during the ceremony was greeted by cries of respect.

About 2,000 Afghan leaders and foreign diplomats attended the inauguration, held in the Interior Ministry building.


A picture of Masood dominated the ceremony

Security was tight, with armed soldiers and police patrolling in the grounds of the ministry, accompanied by a small contingent of Royal Marines who are the vanguard for the British-led international security force.

Challenges ahead

Key tasks for the new government include establishing security throughout the country, restoring essential services and beginning the process of reconstruction.

Since the collapse of the Taleban, there have been reports of increasing numbers of armed men on the streets in some cities and of pockets of looting and lawlessness.

Three men who security officials described as Taleban fighters were arrested inside the Interior Ministry compound on Saturday morning.

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Whitbeck: Afghanistan's historic day

December 22, 2001 Posted: 12:05 PM EST (1705 GMT)

CNN Correspondent Harris Whitbeck

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(CNN) -- It's a new era in Afghanistan. Following five years of Taliban rule, a new interim government was sworn in Saturday morning in Afghanistan, with the Pashtun leader Hamid Karzai as its chairman.

CNN Correspondent Harris Whitbeck is in the capital of Kabul and filed this report:

HARRIS WHITBECK: We are on the grounds of the presidential palace, where Hamid Karzai, the new chairman of the interim government, has just given his first news conference. He said that the next few days will be very busy. He said tomorrow he will hold his first Cabinet meeting. He says his main priority is to try to maintain peace and stability in this country.

HAMID KARZAI: Peace and stability in Afghanistan and to give the Afghan people an opportunity to live at absolute peace.

Economically, Afghanistan has suffered tremendously because of years of war and disaster in the country.

WHITBECK: Mr. Karzai spoke about the significance of this day. He said that this day will go down in Afghan history only if he delivers on what he and his 29-member council have promised. He said if they do not deliver, this day will actually go into oblivion.

RESOURCES
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